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In re Application of	:	
ROLF LARSSON	:	
Application No.: 09/582,003	:	DECISION ON PETITION
PCT No.: PCT/SE98/02302	:	
Int. Filing Date: 15 December 1998	:	
Priority Date: 19 December 1997	:	
Attorney Docket No.: 11412	:	
For: WELDING APPARATUS	:	

This is a decision on applicants' "Renewed Request Under 37 CFR 1.497" filed in the United States Patent and Trademark Office (USPTO) on 19 December 2002 requesting the acceptance of the declaration filed on 27 November 2002 and the refund of the \$130 petition fee. A copy of the declaration accompanied the request.

In a 03 December 2002 decision on a petition to revive under 37 CFR 1.137(b), which dismissed the petition as moot, applicant was advised that a new declaration identifying the specification to which it is directed was required. However, on 02 December 2002, applicant had filed a petition under 37 CFR 1.182 to Correct the Serial Number on Response and for Refund of Fee accompanied by a newly executed declaration and petition fee.

On 19 December 2002, applicant filed the instant Petition under 37 CFR 1.497 along with a copy of the declaration, filed on 02 December 2002. A review of the declaration reveals that it identifies the specification 09/582,003 and PCT application number (PCT/SE98/02302) to which it is directed. The declaration filed on 02 December 2002 is acceptable under 37 CFR 1.497.

A review of the finance records for 09/582,003 indicates that the surcharge for filing the declaration after the thirty month period (\$130) was paid on 05 September 2000. A \$130 fee for petition under 37 CFR 1.182 to correct the serial number on the 05 September 2000 filing has been paid.

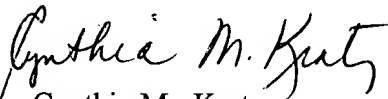
With regard to the request for a refund of the petition fee charged on 02 December 2002, the \$130 petition fee was refunded as it was a duplicate fee and charged in error. A refund of \$1,280 for the petition to revive under 37 CFR 1.137(b) filed on 18 April 2002 was also refunded as the petition was dismissed as moot on 03 December 2002.

### **CONCLUSION**

For the reasons stated above, the petition under 37 CFR 1.497 to accept the newly executed declaration filed 02 December 2002 in the above-captioned application is **GRANTED**.

A refund of the \$130 petition fee charged on 02 December 2002 and \$1,280 for petition to revive under 37 CFR 1.137(b) charged on 18 April 2002 have been refunded to applicant's deposit account.

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371 date is **02 December 2002**.



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